

An Information Disclosure Statement was filed in this case on December 11, 2000. Applicants have not yet received a copy of the Examiner-initialed Form 1449 corresponding to the December 11, 2000 Information Disclosure Statement, and hereby respectfully request a copy of the Examiner-initialed Form 1449 of that paper.

**I. Election/Restriction Requirement**

The Examiner has required restriction between Group I and Group II, below:

Group I: Claims 1-13, 15-20, drawn to the compounds in formula I in claim 1, where Ar is pyridyl, R1 is COOH, R2 and R3 come together to form a 6 membered benzo moiety substituted with methyl groups, and R4 is lower alkyl radical.

Group II: Claims 1-13, 15-20, drawn to the compound in formula I in claim 1 where the radicals Ar, R1, R2, R3 and R4 are all other claimed moieties not defined in Group I.

As stated in the telephone conversation with Teresa Stanek Rea on May 31, 2001, Applicants elect, with traverse and for search purposes only, the compound of example 4 on page 26. Claims 1-3, 12, 13 and 15-20 read upon the elected species. The Office Action indicates that Applicant's election of species falls into Group I, which was examined. However, Group I above, appears to accidentally recite that "R<sub>2</sub> and R<sub>3</sub> come together to form a 6 membered benzo moiety," while in the elected species R<sub>2</sub> and R<sub>3</sub> come together to form a saturated 6-membered ring. Accordingly, Applicants wish to elect, with traverse and for search purposes only, Group I, if the definition is revised to recite that R<sub>2</sub> and R<sub>3</sub> come together to form a saturated 6-membered ring.

The Office Action states that the species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept. In particular, the Office Action states that the species lack the same or corresponding special technical features because the species lack a common core. Respectfully, Applicants submit that the compounds of the claimed invention have a common core, as defined by formula (I), which contains a phenyl ring attached to a selenium atom, which is in turn attached to an aryl ring. Moreover, the restriction builds Group I around a particular species, and then places in Group II "all other claimed moieties not defined in Group I." For these reasons, Applicants submit that the restriction requirement should more properly be an election of species only. Respectfully, Applicants request that the Examiner reconsider the restriction requirement.

**II. The Rejection of Claim 1-13, in part, under 35 U.S.C. § 112, Second Paragraph**

Claims 1-13, in part, were rejected under 35 U.S.C. § 112, second paragraph. While not necessarily agreeing with this rejection and solely in an attempt to expedite prosecution, Applicants have amended the claims according to the Examiner's suggestion.

The Examiner's courtesy is appreciated in pointing out claim language that appeared to be indefinite. Respectfully, in light of the amendment, withdrawal of this rejection is requested.

**III. The Rejection of Claim 15, in part, under 35 U.S.C. § 112, First Paragraph**

The Examiner has rejected Claim 15, in part, under 35 U.S.C. § 112, first paragraph, concluding that the breadth of the claims exceeds the scope of enablement provided by the specification. Applicants disagree with this rejection.

Respectfully, the enablement requirement of 35 U.S.C. § 112 ensures that one skilled in the art will be able to make and use a claimed invention. *Raytheon Co. v. Roper Corp.*, 220 USPQ 592, 599 (Fed. Cir. 1983). The fact that some, and perhaps even considerable, experimentation may be required does not preclude a finding of enablement. A considerable amount of experimentation is permissible, if it is merely routine. *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 220 USPQ 303, 316 (Fed. Cir. 1983). For example, physicians routinely adjust drug amounts administered to patients to achieve optimum effect in a particular subject.

In the specification, Applicants have provided guidance and detailed description with respect to the preparation of formulations comprising the compounds of the claimed invention and the administration of such formulations to treat the various disease conditions. See, for example, the specification at page 1, lines 9-23; page 15, line 11 to page 18, line 14; and page 19, line 1 to page 22, line 20. Examples of various formulation are provided at page 67, line 20 to page 75, line 19. Directions for using the formulations is also provided for both oral administration (i.e. tablets, drinkable suspension, and gelatin capsules) as well as topical administration (i.e. several water-in-oil creams, gels, lotions, and cosmetic compositions.) Preferred formulations and modes of administration would either be apparent to one of ordinary skill in the art or could readily be determined based on routine experimentation. Thus, one of ordinary skill in the art would have sufficient

guidance, based on the Applicants' specification to treat the various disease conditions claimed.

Further, the Office Action Office has the burden of establishing a lack of enablement. *In re Hogan*, 194 USPQ 527, 539 (CCPA 1977). Here, the Office has not set forth specific evidence or technical reasoning to demonstrate that one skilled in the art would find the specification nonenabling in light of its discussion and exemplification. Additionally, the Office Action has not provide the Applicants with an assessment of enablement under the "standard of reasonableness" to which they are entitled, given the nature of the invention and the state of the art.

The determination of what constitutes undue experimentation in a given case requires the application of a standard of reasonableness, having due regard for the nature of the invention and the state of the art. [citations omitted] The test is not merely quantitative, since a considerable amount of experimentation is permissible, if it is merely routine, or if the specification in question provides a reasonable amount of guidance with respect to the direction in which the experimentation should proceed...

*In re Jackson*, 217 USPQ 804, 807 (Bd. App. 1982), cited with approval in *Wands*, 8 USPQ2d at 1404.

For the reasons discussed above, Applicants respectfully submit that this rejection is in error, and should be withdrawn.

#### **IV. The Rejection of Claims 1-13 and 16-19 under 35 U.S.C. § 102(b)**

Claims 1-13 and 16-19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by *Nakanishi et al.* (Chem. Lett., 11:947-948, 1996). Applicants traverse this rejection.

Through their invention, Applicants have provided diarylselenide compounds of formula (I). In particular, in formula (I), R<sub>2</sub> and R<sub>3</sub> may optionally come together to form a saturated 6-membered ring.

In contrast, the compounds in *Nakanishi* et al. contain unsaturated rings. For example, *Nakanishi* et al. discloses an ethyl ester of 4-(1-naphthalenylseleno)-benzoic acid, CAS registry number 65490-21-3, which contains an unsaturated naphthalene group. Thus, the compounds of the claimed invention are distinguished from those of *Nakanishi* et al. because, as recited in the claims, when R<sub>2</sub> and R<sub>3</sub> are taken together, they form together with the adjacent aromatic ring a 5 or 6 membered saturated ring, not an unsaturated ring.

Respectfully, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Moreover, there is also nothing in *Nakanishi* et al. that would teach or disclose the desirability of making the compounds of the claimed invention, much less a reasonable expectation of success in doing so. Therefore, in light of the differences between the claimed invention and *Nakanishi* et al., Applicants respectfully submit that withdrawal of the rejection under 35 U.S.C. §102 would be appropriate.

**V. The Rejections of Claims 1-13 and 16-19 under 35 U.S.C. § 103**

Claims 1-13 and 16-19 stand rejected under 35 U.S.C. § 103 in view of either *Beard et al.* (WO 97/16422) or *Bernardon et al.* (EP 679,630). Applicants respectfully traverse these rejections.

Initially, a proper analysis of the obviousness/nonobviousness of the claimed invention by the USPTO requires consideration of two factors: (1) whether the prior art would have suggested to those of ordinary skill in the art that they should make the claimed compound; and (2) whether the prior art would also have revealed that in doing so, there would be a reasonable expectation of success. Both the suggestion and the reasonable expectation of success must be founded in the prior art, not in the Applicants' disclosure. *In re Sernaker*, 217 U.S.P.Q. 1, at 5 (Fed. Cir. 1983); and *In re Vaeck*, 20 USPQ2d 1438, 1442 (CAFC 1991).

When so analyzed, it is clear that the claims as amended are not rendered obvious by the cited documents, either considered alone or when taken together, because the cited documents provide no reasonable basis for the skilled artisan to either combine the references or to predict success.

*Beard et al.* relates to compounds having retinoid-like biological activity, where the compounds are generally substituted sulfides, sulfoxides and sulfones, having retinoid-like biological activity. *Bernardon* describes polycyclic aromatic compounds and pharmaceutical/cosmetic compositions comprised thereof. As acknowledged in the Office Action, neither *Beard et al.* nor *Bernardon* teach selenium-containing compounds. However, the Office Action asserts that it would have been obvious to substitute one chalcogen for another for the synthesis of the claimed compounds. The Office Action

further asserts that the compounds are deemed unpatentable in the absence of a showing of unexpected results for the claimed compounds over those of the generic prior art compounds. Respectfully, this position is contrary to the law.

As the Federal Circuit concluded in *In re Grabiak*, 769 F.2d 729, 22 U.S.P.Q. at 870 (1985), a *prima facie* case of obviousness was not established when the Examiner argued that oxygen and sulfur were interchangeable, where the prior art compounds had an oxygen atom and the claimed compounds had a sulfur atom. The Federal Circuit expressly refused to adopt any generalized rules relating to the *prima facie* obviousness of specific chemical structures. *Id.* at 769 F.2d at 732, 22 U.S.P.Q. at 872. Instead, the Federal Circuit held that the prior art must contain something to suggest the desirability of the proposed combination.

Similarly, in the present case, the Office Action has cited no pertinent reference showing or suggesting to one of ordinary skill in the art the substitution of a sulfur for a selenium in the compounds of either *Beard et al.* or *Bernardon*. There is also no basis for the presumption that all members of a given family on the periodic table would be interchangeable, *i.e.*, consider the vast difference between carbon and silicon, or carbon and lead, for instance. In particular, in comparing the Group 6A elements, it is noted that selenium has different chemical and physical properties, compared to other members of this group, such as atomic radius, ionization energy, *etc.* There is no teaching or suggestion in either *Beard et al.* or *Bernardon* that sulfur should be replaced with selenium. Neither *Beard et al.* nor *Bernardon* teach or suggest to one of ordinary skill at the time that the invention was made that sulfur should be substituted for selenium, much less how to make such compounds or that such a substitution would be successful.

Thus, the Office Action does not provide any basis for establishing why one of ordinary skill in the art would substitute a selenium for the sulfur in the compounds of *Beard et al.* or *Bernardon*. *Ad arguendo*, even if such a substitution was made, there is no reasonable basis for predicting that such a change would be successful in producing the compounds of the claimed invention.

Thus, Applicants submit that a *prima facie* case of obviousness has not been established. For the reasons discussed above, Applicants respectfully submit that this rejection is in error and should be withdrawn.

#### **VI. Conclusion**

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such action is earnestly solicited.

If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By:

Teresa Stanek Rea  
Registration No. 30,427

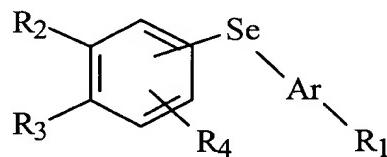
P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: October 11, 2001

**Attachment to Amendment dated October 11, 2001**

**Marked-up Claims**

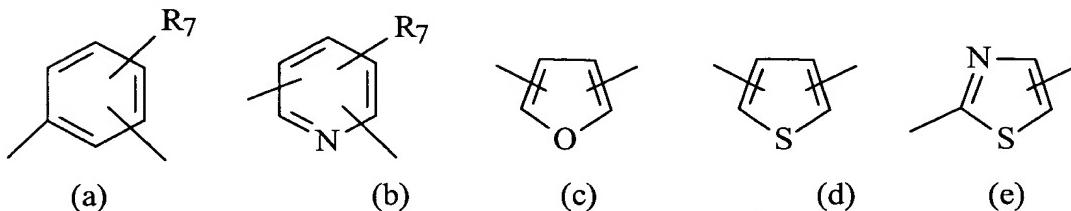
1. (Twice Amended) **A compound** [Compounds] having the general formula (I) below:



(I)

in which:

- $R_1$  represents:
  - (i) a  $-CH_3$  radical,
  - (ii) a radical  $-CH_2-O-R_5$ ,
  - (iii) a radical  $-COR_6$ ,
- $R_5$  and  $R_6$  having the meanings given below,
- $Ar$  represents a radical selected from the group of radicals of formulae (a) - (e) below:



$R_7$  having the meaning given below

- $R_2$  and  $R_3$ , which may be identical or different, independently represent a radical selected from the group consisting of:

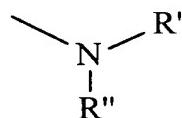
**Attachment to Amendment dated October 11, 2001**

**Marked-up Claims**

- (i) a hydrogen atom,
- (ii) a radical selected from tert-butyl, 1-methylcyclohexyl and 1-adamantyl radicals,
- (iii) a radical  $-OR_8$ ,  $R_8$  having the meaning given below, and
- (iv) a polyether radical, it being understood that at least one of the radicals  $R_2$  or  $R_3$  represents a radical (ii),
- $R_2$  and  $R_3$  taken together can form, with the adjacent aromatic ring, a 5- or 6-membered saturated ring optionally substituted with methyl groups and/or optionally interrupted with an oxygen or sulphur atom,
  - $R_4$  represents a hydrogen atom, a halogen atom, a lower alkyl radical, a radical  $OR_9$ , a polyether radical or a radical  $COR_{10}$ ,
  - $R_9$  and  $R_{10}$  having the meanings given below,
  - $R_5$  represents a hydrogen atom, a lower alkyl radical or a radical  $COR_{11}$ ,
  - $R_{11}$  having the meaning given below,
  - $R_6$  represents a radical selected from the group consisting of:
    - (i) a hydrogen atom,
    - (ii) a lower alkyl radical,
    - (iii) a radical  $OR_{12}$ ,

$R_{12}$  having the meaning given below, and

(iv) a radical of formula

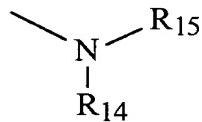


**Attachment to Amendment dated October 11, 2001**

**Marked-up Claims**

R' and R" having the meanings given below,

- R<sub>7</sub> represents a hydrogen atom, a halogen atom, a lower alkyl radical, a nitro radical, a radical OR<sub>13</sub>, a polyether radical or a radical of the following formula:



R<sub>13</sub>, R<sub>14</sub> and R<sub>15</sub> having the meanings given below,

- R<sub>8</sub> represents a hydrogen atom, a lower alkyl radical, an optionally substituted aryl radical, an optionally substituted aralkyl radical, a monohydroxyalkyl or polyhydroxyalkyl radical or a lower acyl radical,
- R<sub>9</sub> represents a hydrogen atom, a lower alkyl radical, an optionally substituted aryl radical, an optionally substituted aralkyl radical, a monohydroxyalkyl or polyhydroxyalkyl radical, a lower acyl radical, a radical -(CH<sub>2</sub>)<sub>n</sub>-COOR<sub>16</sub> or a radical -(CH<sub>2</sub>)<sub>n</sub>-X,  
n, R<sub>16</sub> and X having the meanings given below,
- R<sub>10</sub> and R<sub>11</sub>, which may be identical or different, represent a lower alkyl radical,
- R<sub>12</sub> represents a hydrogen atom, a lower alkyl radical, an optionally substituted aryl or aralkyl radical, a monohydroxyalkyl radical or a polyhydroxyalkyl radical,
- R' and R", which may be identical or different, represent a hydrogen atom, a lower alkyl radical, an optionally substituted aryl radical or an amino acid residue, or alternatively R' and R" taken together can form, with the nitrogen atom, a heterocycle,
- R<sub>13</sub> represents a hydrogen atom or a lower alkyl radical,

**Attachment to Amendment dated October 11, 2001**

**Marked-up Claims**

- $R_{14}$  and  $R_{15}$ , which may be identical or different, represent a hydrogen atom or a lower alkyl radical,
- $R_{16}$  represents a hydrogen atom or a lower alkyl radical,
- $n$  represents an integer between 1 and 12 inclusive,
- $X$  represents a halogen atom, and the optical and geometrical isomers of the said compounds of formula (I), as well as the salts thereof.

2. (Twice Amended) A compound [Compounds] according to Claim 1, which are in the form of salts of an alkali metal or alkaline-earth metal, of zinc, of an organic amine or of an inorganic or organic acid.

3. (Twice Amended) A compound [Compounds] according to claim 1, wherein the lower alkyl radicals are selected from the group consisting of methyl, ethyl, isopropyl, butyl and tert-butyl radicals.

4. (Twice Amended) A compound [Compounds] according to claim 1, wherein the monohydroxyalkyl radicals correspond to radicals containing 2 or 3 carbon atoms, it being possible for the monohydroxyalkyl radical to be protected in the form of acetyl or tertbutyldimethylsilyl.

5. (Twice Amended) A compound [Compounds] according to claim 1, wherein the polyhydroxyalkyl radicals are selected from the group consisting of 2,3-

**Attachment to Amendment dated October 11, 2001**

**Marked-up Claims**

dihydroxypropyl, 2,3,4-trihydroxybutyl and 2,3,4,5-tetrahydroxypentyl radicals or a pentaerythritol residue, it being possible for the hydroxyl groups to be protected in the form of acetyls or tert-butyldimethylsilyls.

6. (Twice Amended) A compound [Compounds] according to claim 1, wherein the aryl radicals correspond to a phenyl radical, optionally substituted with at least one halogen, one hydroxyl or one nitro function.

7. (Twice Amended) A compound [Compounds] according to claim 1, wherein the aralkyl radicals are selected from the group consisting of benzyl and phenethyl radicals optionally substituted with at least one halogen, one hydroxyl or one nitro function.

8. (Twice Amended) A compound [Compounds] according to claim 1, wherein the lower acyl radicals are selected from the group consisting of an acetyl radical and a propionyl radical.

9. (Twice Amended) A compound [Compounds] according to claim 1, wherein the polyether radicals are selected from the group consisting of methoxymethyl ether, methoxyethoxymethyl ether and methylthiomethyl ether radicals.

**Attachment to Amendment dated October 11, 2001**

**Marked-up Claims**

10. (Twice Amended) A compound [Compounds] according to claim 1, wherein the amino acid residues are selected from the group consisting of residues derived from lysine, glycine and aspartic acid.

11. (Twice Amended) A compound [Compounds] according to claim 1, wherein the heterocyclic radicals are selected from the group consisting of piperidino, morpholino, pyrrolidino and piperazino radicals, optionally substituted in position 4 with a C<sub>1</sub>-C<sub>6</sub> alkyl radical or with a mono- or polyhydroxyalkyl radical.

12. (Twice Amended) A compound [Compounds] according to Claim 1, which are taken, alone or as mixtures, from the group consisting of:  
ethyl 4-(3,5,5,8,8-pentamethyl-5,6,7,8-tetrahydro-2-naphthylselanyl)benzoate, 4-(3,5,5,8,8-pentamethyl-5,6,7,8-tetrahydro-2-naphthylselanyl)benzoic acid, ethyl 6-(3,5,5,8,8-pentamethyl-5,6,7,8-tetrahydro-2-naphthylselanyl)nicotinate, 6-(3,5,5,8,8-pentamethyl-5,6,7,8-tetrahydro-2-naphthylselanyl)nicotinic acid, ethyl 6-(5,5,8,8-tetramethyl-3-propoxy-5,6,7,8-tetrahydro-2-naphthylselanyl)nicotinate, 6-(5,5,8,8-tetramethyl-3-propoxy-5,6,7,8-tetrahydro-2-naphthylselanyl)nicotinic acid, 3-(4-tert-butylphenylselanyl)benzoic acid, 6-(4-tert-butylphenylselanyl)nicotinic acid, 4-(4-tert-butylphenylselanyl)benzoic acid, 4-(4,4-dimethylthiochroman-8-ylselanyl)benzoic acid, 3-(4,4-dimethylthiochroman-8-ylselanyl)benzoic acid, 6-(4,4-dimethylthiochroman-8-ylselanyl)nicotinic acid, 4-(5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-naphthylselanyl)benzoic acid, 3-(5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-

**Attachment to Amendment dated October 11, 2001**

**Marked-up Claims**

naphthylselanyl)benzoic acid, 6-(5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-naphthylselanyl)nicotinic acid, 4-[5-adamantan-1-yl-4-(2-methoxyethoxymethoxy)-2-methylphenylselanyl]benzoic acid, 3-[5-adamantan-1-yl-4-(2-methoxyethoxymethoxy)-2-methylphenylselanyl]benzoic acid, 6-(4-methoxyethoxymethoxy-5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-naphthylselanyl)nicotinic acid, 3-(4-methoxyethoxymethoxy-5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-naphthylselanyl)benzoic acid, 4-(4-methoxyethoxymethoxy-5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-naphthylselanyl)-3-methoxybenzoic acid, 3-(4-methoxyethoxymethoxy-5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-naphthylselanyl)-4-methoxybenzoic acid, 6-(4-methoxymethoxy-5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-naphthylselanyl)nicotinic acid, 6-(3-methoxyethoxymethoxy-5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-naphthylselanyl)nicotinic acid, 2-(3-methoxyethoxymethoxy-5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-naphthylselanyl)nicotinic acid, 4-(3-methoxyethoxymethoxy-5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-naphthylselanyl)benzoic acid, 3-(3-methoxyethoxymethoxy-5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-naphthylselanyl)benzoic acid, 6-(3,5-di-tert-butyl-2-methoxymethoxyphenylselanyl)-nicotinic acid, 2-(3,5-di-tert-butyl-2-methoxymethoxyphenylselanyl)nicotinic acid, 4-(3,5-di-tert-butyl-2-methoxymethoxyphenylselanyl)benzoic acid, 3-(3,5-di-tert-butyl-2-methoxymethoxyphenylselanyl)benzoic acid, 6-[4-adamantan-1-yl-3-benzyloxyphenylselanyl)nicotinic acid, 6-(3,5-di-tert-butyl-2-benzyloxyphenylselanyl)nicotinic acid, 3-methoxy-4-(4-benzyloxy-5,6,7,8-tetrahydro-5,5,8,8-tetramethyl-2-naphthylselanyl)benzoic acid, 4-(4-benzyloxy-5,6,7,8-tetrahydro-

**Attachment to Amendment dated October 11, 2001**

**Marked-up Claims**

5,5,8,8-tetramethyl-2-naphthylselanyl)benzoic acid, 6-(4-benzyloxy-5,6,7,8-tetrahydro-5,5,8,8-tetramethyl-2-naphthylselanyl)nicotinic acid, 3-methoxy-4-(3-benzyloxy-5,6,7,8-tetrahydro-5,5,8,8-tetramethyl-2-naphthylselanyl)benzoic acid, 6-(3-benzyloxy-5,6,7,8-tetrahydro-5,5,8,8-tetramethyl-2-naphthylselanyl)nicotinic acid, 4-(3-hexyloxy-5,6,7,8-tetrahydro-5,5,8,8-tetramethyl-2-naphthylselanyl)-3-methoxybenzoic acid, 6-(3-hexyloxy-5,6,7,8-tetrahydro-5,5,8,8-tetramethyl-2-naphthylselanyl)nicotinic acid, 4-(5-adamantan-1-yl-4-benzyloxy-2-methylphenylselanyl)-benzoic acid, 6-[3-(5-hydroxypentyloxy)-5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-naphthylselanyl]nicotinic acid, ethyl 4-(5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-naphthylselanyl)benzoate, ethyl 4-(3-methoxyethoxymethoxy-5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-naphthylselanyl)benzoate, ethyl 4-(3-hydroxy-5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-naphthylselanyl)benzoate, 4-(3-hydroxy-5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-na-chthylselanyl)benzoic acid, ethyl 6-(3-methoxyethoxymethoxy-5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-naphthylselanyl)nicotinate, ethyl 6-(3-hydroxy-5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-naphthylselanyl)nicotinate, 6-(3-hydroxy-5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-naphthylselanyl)nicotinic acid, ethyl 6-[3-(3-ethoxycarbonylpropoxy)-5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-naphthylselanyl]nicotinate, 6-[3-(3-carboxypropoxy)-5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-naphthylselanyl]benzoate, 4-[3-(3-ethoxycarbonylpropoxy)-5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-naphthylselanyl]nicotinic acid, ethyl 4-[3-(3-carboxypropoxy)-5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-naphthylselanyl]benzoate, 4-[3-(7-methoxycarbonylheptyloxy)-5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-naphthylselanyl]benzoic acid, ethyl 4-[3-(7-carboxyheptyloxy)-5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-naphthylselanyl]benzoate, 4-[3-(7-carboxyheptyloxy)-5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-naphthylselanyl]benzoate,

**Attachment to Amendment dated October 11, 2001**

**Marked-up Claims**

tetramethyl-5,6,7,6-tetrahydro-2-naphthylselanylbenzoic acid, ethyl 6-[3-(7-methoxycarbonylheptyloxy)-5,5,8,8-tetra-methyl-5,6,7,8-tetrahydro-2-naphthylselanyl]nicotinate, 6-[3-(7-carboxyheptyloxy)-5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-naphthylselanyl]nicotinic acid, ethyl 6-[3-(2-acetoxyethoxy)-5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-naphthylselanyl]nicotinate, 6-[3-(2-hydroxyethoxy)-5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-naphthylselanyl]nicotinic acid, ethyl 4-[3-(2-acetoxyethoxy)-5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-naphthylselanyl]benzoate, 4-[3-(2-hydroxyethoxy)-5,5,8,8-tetramethyl-5,6,7,8-tetrahydro-2-naphthylselanyl]benzoic acid, 6-(3-adamantan-1-yl-4-methoxyphenylselanyl)nicotinic acid, [6-(3,5,5,8,8-pentamethyl-5,6,7,8-tetrahydro-2-naphthylselanyl)-3-pyridyllmethanol, N-ethyl-6-(3,5,5,8,8-pentamethyl-5,6,7,8-tetrahydro-2-naphthylselanyl)nicotinamide, morpholin-4-yl-[6-(3,5,5,8,8-pentamethyl-5,6,7,8-tetrahydro-2-naphthylselanyl)-3-pyridyl]methanone, N-(4-hydroxyphenyl)-6-(3,5,5,8,8-pentamethyl-5,6,7,8-tetrahydro-2-naphthylselanyl)nicotinamide, 6-(3,5,5,8,8-pentamethyl-5,6,7,8-tetrahydro-2-naphthylselanyl)pyridine-3-carbaldehyde.

13. (Twice Amended) **A compound** [Compounds] according to Claim 1, which have at least one, of the following characteristics:

- R<sub>1</sub> represents a radical COR<sub>6</sub>
- Ar represents a radical of formula (a) or (b)

**Attachment to Amendment dated October 11, 2001**

**Marked-up Claims**

- R<sub>2</sub> or R<sub>3</sub> represents an adamantyl radical or R<sub>2</sub> and R<sub>3</sub> taken together form, with the adjacent aromatic ring, a 5- or 6-membered saturated ring optionally substituted with methyl groups and/or optionally interrupted with an oxygen or sulphur atom.